

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Drawings

The Applicant respectfully requests the Examiner to indicate whether the drawings filed on December 3, 2001 are acceptable.

Information Disclosure Statement

The Applicant respectfully requests that the Examiner indicate that the references cited in the Information Disclosure Statement filed on December 3, 2001 and the Supplemental Information Disclosure Statement filed on September 12, 2003 have been reviewed by returning initialed copies of the corresponding PTO-1449 Forms.

Disposition of Claims

Claims 1-19 and 38 are pending in this application. Claims 1 and 11 are independent. The remaining claims depend, directly or indirectly, from claims 1 and 11. Claims 4, 10, and 19 have been cancelled by this reply without prejudice or disclaimer.

Claim Amendments

Claims 1 and 11 have been amended to clarify the invention. Specifically, claims 1 and 11 have been amended to clarify the following: (i) the state manager is *interposed* between the client and the service component; (ii) the service component is *interposed* between the state manager and the server; and (iii) the state manager is configured to request the service

component to obtain the plurality of data attributes on the list. Support for these amendments may be found, for example, Figures 2 and 3 of the instant specification. Independent claims 1 and 11 have also been amended to address minor antecedent basis issues. Further, claims 2, 3, 5-7, 12-16 and 38 have been amended to address various antecedent basis issues resulting from the amendment of independent claims 1 and 11. Applicant asserts no new subject matter has been added by any of the aforementioned amendments.

Rejections under 35 U.S.C. §103

Claims 1-19 stand rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,226,690 (“Banda”) in view of WO 00/58853 (“WO”). Claims 4 and 10 have been cancelled by this reply. Accordingly, this rejection is now moot with respect to the cancelled claims. To the extent that this rejection still applies to the pending claims, this rejection is respectfully traversed.

To establish a *prima facie* case of obviousness “...the prior art reference (or references when combined) must teach or suggest all the claim limitations.” (See MPEP §2143.03). Further, “all words in a claim must be considered in judging the patentability of that claim against the prior art.” (See MPEP §2143.03). The Applicant respectfully asserts that the references fail to teach or suggest all the claim limitations of amended independent claim 1.

Specifically, the Applicant respectfully asserts that Banda fails to teach or suggest a system that includes *all* four components recited in amended independent claim 1, namely, the client, the state manager, the service component, and the server. While the Applicant acknowledges that Banda teaches a client and a server, there is no teaching or suggestion of a state manager or a service component as recited in amended independent claim 1. The Examiner has asserted that the distributed SOM Object Manager is equivalent to both the state manager

and the service component recited in the claims. (*See* Office Action mailed September 8, 2005, p. 3). The Applicant disagrees.

In particular, amended independent claim 1 requires, in part, that the state manager includes functionality to request a list of data attributes from a service component, where the service component is *interposed* between the state manager and the server. The distributed SOM Object Manager disclosed in Banda does not include functionality to make such a request to a *service component interposed* between the state manager and the server. Rather, the distributed SOM Object Manager in Banda is only configured to search the Implementation Repository (*i.e.*, a data store) (380 in Figure 5B). Even assuming *arguendo* that the distributed SOM Object Manager includes functionality to make such a request, a review of Figure 5B (and the corresponding text) in Banda reveals that the implementation repository, to which the distributed SOM Object Manager sends requests, is not *interposed* between the state manager and the server.

Moreover, even assuming *arguendo* that the implementation repository is interposed between the state manager and the server, the implementation repository is not equivalent to the service component as recited in amended claim 1. Specifically, the implementation repository does not include functionality to “fetch the plurality of data attributes from the server.” In fact, the implementation repository in Banda does not even include functionality to communicate with the server.

In addition, there is no teaching in Banda which suggests that distributed SOM Object Manager includes functionality to request a list of attributes from the server. Rather, as discussed above, the distributed SOM Object Manager only sends requests to the implementation repository, where the implementation repository is located on the client (*See* Banda, Figure 5B).

In view of the above, Banda does not teach or suggest all the limitations recited in amended independent claim 1. Further, WO does not teach that which Banda lacks. Specifically, WO only teaches *direct* communication between the server and the client (*See, e.g.,* WO Figures 2 and 3) without any teaching or suggestion of a state manager or a service component *interposed* between the server and the client to facilitate such communication.

In view of the above, neither Banda nor WO, whether considered separately or in combination, teach or suggest all the limitations of amended independent claim 1. Thus, amended independent claim 1 is patentable over Banda and WO. Amended independent claim 11 includes the same patentable limitations as amended independent claim 1 and, thus, is patentable over Banda and WO for at least the same reasons as amended independent claim 1. Pending dependent claims are allowable for at least the same reasons as the amended independent claims from which they depend. Withdrawal of this rejection is respectfully requested.

Claim 38 stands rejected under 35 U.S.C. § 103 as being unpatentable over Banda in view of WO and further in view of U.S. Patent No. 5,925,100 ("Drewry"). To the extent that this rejection applies to amended claim 38, the rejection is respectfully traversed.

Amended claim 38 depends from amended independent claim 1. As discussed above, neither Banda nor WO teach or suggest all the limitations recited in amended independent claim 1. Further, Drewry does not teach that which Banda and WO lack. This is evidenced by the fact that Drewry is only relied upon to teach "prefetching data." (*See* Office Action mailed September 8, 2005, p. 5).

In view of the above, Banda, WO, and Drewry, whether considered separately or in combination, do not teach or suggest all the limitations of amended independent claim 1. Thus, amended independent claim 1 is patentable over Banda and WO. Dependent claim 38 is

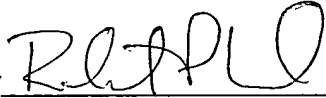
allowable for at least the same reasons as the amended independent claim 1. Withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 16159/026001; P6937).

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Respectfully submitted,

By 

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